

9 LIMITED
COLLECTION
COMMISSION
06 APR 16 1995

06 APR 16 23 00 15

Respondents: Cat Ping for Congress¹
Catherine L. Ping as
treasurer (collectively the
“Committee”), and
Concerned 7th District
Neighbors (“CDN”)²

Cat Ping for Congress¹
Catherine L. Ping as
treasurer (collectively the
"Committee"), and
Concerned 7th District
Neighbors ("CDN")²

Cat Ping for Congress¹
Catherine L. Ping as
treasurer (collectively the
"Committee"), and
Concerned 7th District
Neighbors ("CDN")²

Cat Ping for Congress¹
Catherine L. Ping as
treasurer (collectively the
"Committee"), and
Concerned 7th District
Neighbors ("CDN")²

52 U.S.C. § 30102(i)
52 U.S.C. § 30120(a)
11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

52 U.S.C. § 30102(i)
52 U.S.C. § 30120(a)
11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

11 C.F.R. § 109.10
11 C.F.R. § 110.11(c)

1 The Committee maintains that the disclaimer on its website did not mislead the public.
2 It claims that it was not required to display the disclaimer within a printed box because that
3 requirement applies only to printed communications. *See* 11 C.F.R. § 110.11(c)(2)(ii).
4 Furthermore, the Committee notes that it was not required to display its disclaimer on every
5 page of its website. Regarding the “best efforts” allegation, the Committee claims that the
6 complainant failed to set forth any contribution for which the requisite identifying information
7 was not disclosed. Finally, the Committee denies that it had any prior knowledge of CDN’s
8 advertisement and did not authorize it.³

9 The Committee’s website appears to include sufficient information as to the identity of
10 the party who paid for it.⁴ Thus, it is unlikely that the public was misled by the slight variation
11 of the Committee’s official name.

12 Based on its experience and expertise, the Commission has established an Enforcement
13 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
14 assess whether particular matters warrant further administrative enforcement proceedings.
15 These criteria include (1) the gravity of the alleged violation, taking into account both the type
16 of activity and the amount in violation; (2) the apparent impact the alleged violation may have
17 had on the electoral process; (3) the complexity of the legal issues raised in the matter; and
18 (4) recent trends in potential violations and other developments in the law. This matter is rated
19 as low priority for Commission action after application of these pre-established criteria. Given

³ According to the Committee, it contacted the *Franklin Township Informer*, in which the pro-Ping CDN advertisement appeared, and was quoted a price of \$60, which is well under the “over \$250” threshold required for filing an independent expenditure report.

⁴ The Commission has concluded that internet pages do not constitute “printed communications;” therefore, the additional disclaimer requirements for printed disclaimers, including the “printed box” requirement, do not apply to campaign websites. *See* Statement of Reasons, Comm’rs. Weintraub, Walther, Lenhard, Mason, Toner and von Spakovsky at 4, MUR 5526 (Graf for Congress); *see also* MUR 6591 (Friends of Tom Stilson).

that low rating and the other circumstances presented, including the apparent small amounts at issue, we recommend that the Commission dismiss the allegations consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all respondents and send the appropriate letters.

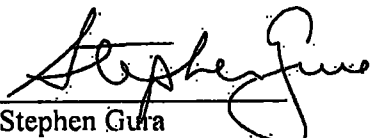
Daniel A. Petalas
Acting General Counsel

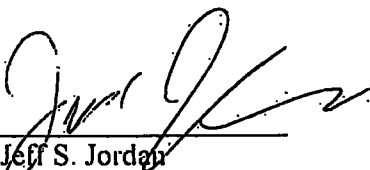
Kathleen M. Guith
Acting Associate General Counsel
for Enforcement


6.15.16

Date

BY:


Stephen Gura
Deputy Associate General Counsel
Enforcement


Jeff S. Jordan
Assistant General Counsel
Complaints Examination
& Legal Administration


Ruth Heilizer
Attorney
Complaints Examination
& Legal Administration